

IN THE DRAWINGS

The three attached drawing sheets include changes to Figures 1, 2, 6, 7, 8 and 10. The first sheet includes Figures 1 and 2 and replaces the original sheet that includes Figures 1 and 2. The second sheet includes Figures 6, 7, and 8 and replaces the original sheet that includes Figures 6, 7, and 8. The third sheet includes Figures 9 and 10 and replaces the original sheet that includes Figures 9 and 10. Figures 1, 2, 6, 7, 8, and 10 were amended to include appropriate legends as required by the Examiner in the Office Action.

Attachments: Three Replacement Sheets

REMARKS

This application has been carefully reviewed in light of the Office Action dated April 29, 2005. Claims 1-8 remain pending in this application. Claims 1 and 8 are the independent claims. Favorable reconsideration is respectfully requested.

On the merits, the Office Action rejected Claims 1 and 8 under 35 U.S.C. §102(b) as being anticipated by Delcoco et al. (United States Patent No. 5,127,067; hereinafter "Delcoco"). The Office Action objected to Claims 2-7 as being dependent upon a rejected base claim.

The Examiner also objected to the inclusion of the phrase "Fig. 2" three lines after the completion of the Abstract on page 16, approximately line 10. Applicants have deleted the phrase "Fig. 2" in the specification in accordance with the Examiner's suggestion.

The Examiner also objected to Figures 1, 2, 6, 7, 8, and 10 as lacking a descriptive legend. Applicants have included replacement drawing sheets addressing the legend issues presented by the Examiner in the Office Action.

The Examiner further objected to the disclosure because the specification fails to disclose section headings including Background, Summary of the Invention, Brief Description of the Drawings, and Detailed Description of the Invention. In response to the Examiner's objection to the specification for failing to provide header sections, Applicants gratefully acknowledge the suggestion, but respectfully decline to add the headings as they are guidelines and not required in accordance with MPEP §608.01(a).

The Examiner noted that a Response to Notice to File Missing Parts of Application was received on January 9, 2002 but that the enclosed Declaration properly signed by the Applicants was missing. Applicants are unsure as to why the Declaration was not received by the Patent Office. In response, Applicants are enclosing a copy of the Response to Notice to File Missing Parts of Application as filed on October 23, 2001 including a copy of the Declaration properly

signed by the Applicants and referring to the case by its serial number and filing date in compliance with 37 CFR 1.63.

The Examiner rejected Claims 1 and 8 under 35 U.S.C. §102(b) as being anticipated by Delcoco. Applicants respectfully traverse the above rejections for at least the following reasons.

Delcoco recites a local area network that transmits data from one node to another node in accordance with a ring protocol having the ability to determine if a node is inactive and therefore bypassed in the data transmission.

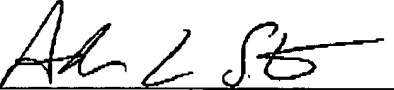
Delcoco fails to recite or suggest an "activity detector for detecting activities in the message signal coming from the assigned network node" as recited in Claims 1 and 8. Delcoco recites at Col. 3, lines 60-66 that the "receivers 22 must include means for supplying a line status signal indicating communication activity on the at least one corresponding transmission line 16 connected to the corresponding node 12. The line status signal is used to determine whether a node should be bypassed, as described below." The interface means in Delcoco "provides a line status indicating activity on the corresponding optical transmission line" (*see* Delcoco Column 2, lines 25-26) to determine if a node should be bypassed in the ring protocol data transmission but does not detect activity in the message signal coming from the network node as recited in Applicants' Claims 1 and 8. Thus Applicants respectfully traverse the §102(b) rejection of Claims 1 and 8 over Delcoco, because the reference fails to recite or suggest every limitation of Applicants' Claims 1 and 8.

Claims 2-7 depend from independent Claim 1 discussed above and are believed patentable for at least the same reasons. Applicants respectfully believe Claims 2-7 to be independently patentable and request separate consideration of each claim.

Applicants appreciate the Examiner stating that Claims 2-7 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the currently pending claims are clearly patentably distinguishable over the cited and applied references. Accordingly, entry of this amendment, reconsideration of the rejections of the claims over the references cited, and allowance of this application is earnestly solicited.

Respectfully submitted,

By 

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